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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,986	01/31/2001	Ron Abraham Gut	AWR-048	4372

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EXAMINER

NGUYEN, HAU H

ART UNIT PAPER NUMBER

2676

DATE MAILED: 09/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/774,986

Applicant(s)

GUT ET AL.

Examiner

Hau H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 4 recites the limitation "the second components". There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-8, 10, 12-18, 20, 22-34, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Conboy et al. (U.S. Patent No. 6,363,418).

Referring to claims 1-2, 16-17, 31-33, 29, and 36, with reference to Fig. 2, Conboy et al. teach a method for on-line controlling caching of an image on a viewing device to efficiently display the image on the viewing device. The method comprises the following steps: (a) sending from a server to the viewing device an image tag included in a hypertext language code, the image tag having attributes, the attributes specifying the image; (b) parsing the hypertext language code including the image tag; (c) searching for a copy of the image in a cache memory of the viewing device using the image tag attributes; (d) displaying the copy of the image if the copy of the image is found in the cache memory and is current; (e) fetching the image from the server if the copy of the image is not found in the cache memory or if the copy of the image is not current; and (f) storing the fetched image and the image tag attributes in the cache memory (col. 2, lines 14-28).

Referring to claims 3-5, as cited above, Conboy et al. teach displaying the copy of the image if the copy of the image is found in the cache memory, and fetching the image from the server if the copy of the image is not found in the cache memory or if the copy of the image is not current.

In regard to claim 6, as cited above in step (f), Conboy et al. teach storing the fetched image and the image tag attributes in the cache memory.

Referring to claims 7-8, 10, 12-15, 18, 20, 22-28, 30, the method as taught by Conboy et al. is a client-server model, and as explained in col. 1, lines 29-36, a Web server is a program running on a server to serve documents to other computers or devices that send requests for the documents. A Web client is a program that lets the user request documents from a server. To facilitate the downloading of printed materials, the contents of these documents are typically

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created in a form compatible with the network transmission format. Thus, the documents requested by the client can be an image file, a web page, or just a document.

In regard to claim 34, as stated in col. 1, lines 59-63, Conboy et al. teach if there is no locally cached copy of the image, or if the locally cached version is not current, the viewer continues the image transfer and the image will be displayed (and optionally added to the local cache memory). Thus, the image is obtained from the remote storage whether a determination to store in the cache or not.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 11, 19, 21, 35, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conboy et al. (U.S. Patent No. 6,363,418) in view of Ching-Yung Lin ("Introduction of JPEG 2000", July 13, 2000).

Referring to claims 9, 11, 19, 21, 35, 37, as cited above, Conboy et al. teach all the limitations of claims 9, 11, 19, 21, 35, 37, except that the image file is a JPEG 2000 file.

However, JPEG 2000 is well known in the art as a compressed form of image file for transmitting over a computer network as described in "Introduction to JPEG 2000" by Ching-Yung Lin.

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Therefore, it would have been obvious to one skilled in the art to utilize the method of controlling caching of an image as taught by Conboy et al., wherein the image is a JPEG 2000 as taught by Ching-Yung Lin, so that the image can be reconstructed with increasing pixel accuracy or spatial resolution (page 6).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.

Eilbott et al. (U.S. Patent No. 6,553,393) teach a method for prefetching external resources to embedded objects in a markup language data stream.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 703-305-4104. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 703-308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

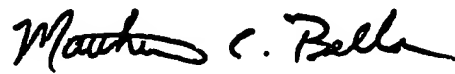
Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

H. Nguyen

06/09/2003



MATTHEW C. BELLA  
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